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October 24, 2013

VIA FACSIMILE

Honorable Paul G. Gardephe
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

**Re: Lockheed Martin Corporation, et al. v. MTA, et al.
Civil Action No.: 09 Civ. 04077 (PGG)**

Dear Judge Gardephe:

Our firm represents Plaintiff Lockheed Martin Corporation ("Lockheed Martin") in the above referenced litigation. We have conferred with counsel for defendants, Ira Lipton, Esq., and counsel for the sureties, Adam Friedman, Esq., about the filing of Daubert motions. The parties have decided not to file Daubert motions prior to trial. We jointly thank Your Honor and Your Honor's law clerk Michael Gramer for the continuing courtesy and assistance extended to our clients and firms.

Respectfully submitted,



Michael Chartan (MC 4609)

MC:ag

cc: Ira J. Lipton, Esq. (Hoguet, Newman Regal and Kenney, LLP, for MTA) (via email)
Adam Friedman, Esq. (Wolff & Samson P.C., for the Sureties) (via email).

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